IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION
(IN INSOLVENCY)

NOTICE OF MOTION NO. 214 OF 2006
IN
NOTICE NO.N/346 OF 2006.

M/s.Maredioa Bros.& Associates
and others. ... Judgment debtors

Versus.

Chhaganlal Haribhai Kasur. ... Judgment creditor.

Shri Bharat Vaishnawa for the Judgment creditor.

Shri B.H.Vyas for the Judgment debtors.

CORAM : ABHAY S.OKA, J.

DATED : 21st August, 2007.

P.C.:

1. I have heard the learned Counsel appearing for the judgment-debtor and the learned Counsel appearing for the judgment-creditor.

2. The prayer in this Notice of Motion is for setting aside Insolvency Notice dated 7th December 2006. The Insolvency Notice is taken out on the basis of the non-compliance with the decree passed in a summary suit filed by the judgment-creditor. Now there is no dispute between the parties that the entire amount payable under the decree has been paid to the judgment-creditor. In view of this undisputed position, Notice of Motion is made absolute in terms of prayer clause (a).

Judge.